

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

FISHER SAND & GRAVEL CO.,

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Plaintiff,

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VS

2:09-cv-01372-RCJ-GWF

CLARK COUNTY, NEVADA et al.,

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ORDER

Defendants

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This case arises out of the Clark County Board of County Commissioners' ("the Board")

rejection of Plaintiff Fisher Sand & Gravel Co.'s ("Fisher") bid on Bid No. 601309-08. That bid is

for improvements to a segment of Interstate 215 that surrounds the City of Las Vegas, known as the

Bruce Woodbury Beltway. On January 6, 2010, the Court granted in part Plaintiff's Emergency

Motion for Enforcement of Writ of Mandamus and Request for Sanctions, ordering the Board to

award the bid to Fisher. (See Order, Jan. 6, 2010, ECF No. 88). The Court of Appeals has stayed

that order pending resolution of the appeal. (See Order, May 20, 2010, ECF No. 127). In the

meantime, Fisher had moved for enforcement of the now-stayed order. (See Mot., Feb. 23, 2010,

ECF No. 117).

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Because the Court cannot enforce an order that the Court of Appeals has stayed, the motion is denied, without prejudice. Plaintiff may renew the motion after the appeal is resolved, assuming the Court of Appeals does not vacate the order.

CONCLUSION

IT IS HEREBY ORDERED that the Motion for Enforcement of this Court's January 6, 2010 Order and for Appropriate Sanctions (ECF No. 117) is DENIED without prejudice.

IT IS SO ORDERED.

DATED: This 24th day of August, 2010.


ROBERT C. JONES
United States District Judge